


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARTHA FEDORIW	:	CIVIL ACTION NO.:
	:	1:07-CV-07446
Plaintiff,	:	
vs.	:	
NEW YORK CONVENTION CENTER	:	JURY TRIAL DEMANDED
OPERATING CORPORATION	:	
and	:	CLERK'S CERTIFICATE
CARL ZEISS VISION, INC.	:	
Defendants	:	

**REQUEST FOR ENTRY OF DEFAULT JUDGMENT
AGAINST CARL ZEISS VISION, INC.**

To Michael J. McMahon, Clerk of Courts
of the United States District Court for the Southern District of New York:

Please enter the default of Defendant Carl Zeiss Vision, Inc. for failure to plead
or otherwise defend as provided by the Federal Rules of Civil Procedure as appears
from the affidavit of Peter A. Greiner, attached hereto.


Peter A. Greiner
Meyerson & O'Neill
1700 Market Street, Ste. 3025
Philadelphia, PA 19103
Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MARTHA FEDORIW	:	CIVIL ACTION NO.:
Plaintiff,	:	1:07-CV-07446
vs.	:	
NEW YORK CONVENTION CENTER	:	JURY TRIAL DEMANDED
OPERATING CORPORATION	:	
and	:	AFFIDAVIT OF
CARL ZEISS VISION, INC.	:	PETER A. GREINER
Defendants	:	FOR CERTIFICATE OF
	:	ENTRY OF DEFAULT

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

PETER A. GREINER, ESQ., being duly sworn, deposes and says:

1. I am a member of the bars of the Commonwealth of Pennsylvania, State of New Jersey, Eastern District of Pennsylvania, and District of New Jersey. I was admitted to this Court *pro hac vice* and am associated with the firm of Meyerson & O'Neill, attorneys for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.
2. I am over the age of 18 years of age, am not mentally incompetent, and am not in the military service of the United States.
3. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiff's application for the entry of a default judgment against defendant.
4. This is an action to recover damages owed by defendants Carl Zeiss Vision, Inc. ("Zeiss") and New York Convention Center Operating Corporation to plaintiff for Martha Fedoriw for negligence.

5. Jurisdiction of the subject matter of this action is based Diversity Jurisdiction.

6. This action was commenced on August 22, 2007 by the filing of the summons and complaint. A copy of the summons and complaint was properly served on defendant Zeiss on September 10, 2007 by personal service on Ms. Dale Henshaw, a person authorized to accept service on defendant Zeiss' behalf and proof of service by the Special Process Server was filed on October 9, 2007 (see Document No. 8, a copy of which is attached hereto as Exhibit "A"). Defendant Zeiss a corporation not under the age of 18 years of age, not mentally incompetent, and not in the military service of the United States. Defendant Zeiss has not answered the complaint or otherwise responded to defend against this action and the time for defendant Zeiss to answer the complaint has expired.

7. This action seeks damages to be determined by the Court in an amount exceeding \$75,000.00 and no part of which has been paid.


WHEREFORE, plaintiff requests the entry of a Certificate of Default against defendant Carl Zeiss Vision, Inc.

Dated: Philadelphia, PA

October 29, 2007


Peter A. Greiner

Sworn to before me this 29
day of October, 2007.



Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Kathleen A. Willard, Notary Public
City Of Philadelphia, Philadelphia County
My Commission Expires Oct. 17, 2010

Member, Pennsylvania Association of Notaries

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Plaintiff,	:	1:07-CV-07446
vs.	:	
NEW YORK CONVENTION CENTER	:	JURY TRIAL DEMANDED
OPERATING CORPORATION	:	
and	:	CLERK'S CERTIFICATE
CARL ZEISS VISION, INC.	:	
Defendants	:	

I, J. Michael McMahon, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on August 22, 2007 with the filing of a Summons and Complaint, a copy of the Summons and Complaint was served on defendant Carl Zeiss Vision, Inc. by personal service on September 10, 2007 of defendant Carl Zeiss Vision representative Dale Henshaw, who was authorized to accept service on behalf of defendant Carl Zeiss Vision, Inc., and proof of such service thereof was filed on October 9, 2007.

I further certify that the docket entries indicate that the defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendant is hereby noted.

DATED: New York, New York

J. MICHAEL MCMAHON
Clerk of the Court

By: _____
Deputy Clerk

Exhibit "A"

Affidavit of Service
United States District Court
Southern District of New York
Case Number: 07 CIV 7446

Martha Fedoriw
Plaintiff

vs.

Court Date

New York Convention Center Operating Corporation, et al
Defendant

The undersigned being duly sworn, states:
I am over the age of 18 years and not a party to the above named entitled action.

I MADE SERVICE OF: Summons in a Civil Action and Complaint

SERVICE ON: Carl Zeiss Vision, Inc.,

ADDRESS: 13017 North Kingston Avenue, Chester, VA

DATE SERVED: September 10, 2007 **TIME SERVED:** 10:00 AM

(xx) DELIVERED TO PERSON FOUND IN CHARGE OF USUAL PLACE OF BUSINESS OR
EMPLOYMENT DURING BUSINESS HOURS AND GIVING INFORMATION OF ITS PURPORT.


Ms. Dale Henshaw, Found in Charge, Compliance Department

Comments pertaining to this service:

Description of Person Accepting Service:

Age: 45, Sex: F, Race: White, Height: 5'8", Weight: 180, Hair: Brn., Eyes: Grn.

Dale Henshaw is not in the Military

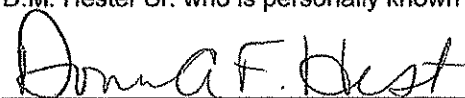


Date: September 11, 2007

D.M. Hester Sr., Private Process Server
Dennis Richman's Services for the Professional, Inc.
1500 J.F.K. Boulevard, Suite 1706
Philadelphia, VA 19102
Bus: (215) 977-9393
Job #: 24481

COMMONWEALTH OF VIRGINIA
COUNTY OF CHESTERFIELD

Subscribed and sworn to/affirmed before me this day by
D.M. Hester Sr. who is personally known to me.



Donna F. Hester, NOTARY PUBLIC
Registration No. #237445
My commission expires November 30, 2008

